UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

Adv. Pro. No. 08-01789-BRL

- against -

SIPA Liquidation

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

OBJECTION TO SIPA TRUSTEE'S DETERMINATION OF CLAIM NUMBER 002518

The Claimant, BEATRICE WEXELBAUM REV TRUST DTD 5/6/1981, BEATRICE WEXELBAUM, TRUSTEE (hereinafter referred to as the "Claimant"), by its attorneys, Snow Becker Krauss P.C., hereby objects to and opposes the Notice of Trustee's Determination of Claim dated March 22, 2010 (hereinafter referred to as the "Determination") issued by Irving H. Picard, Trustee under the Securities Investor Protection Act (hereinafter referred to as the "SIPA Trustee"), upon the following grounds:

1. According to the records of the Claimant, copies of which are annexed hereto as Exhibit A, the Claimant's allowable claim on Bernard L. Madoff Investment Securities LLC Account No. 1ZB476 (which has been designated as Claim Number 002518) computed on the "money in, money out" analysis being utilized by the SIPA Trustee (i.e., the SIPA Trustee's Net Investment Method) should be in the sum

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of \$115,000.00, rather than the sum of \$100,000.00 allowed under the SIPA Trustee's Determination.1

- Due to the fact that the Claimant's records for years prior to 1999 may be incomplete, efforts have been made to contact the SIPA Trustee's representatives in an effort to reconcile the \$15,000.00 discrepancy between the Claimant's records and the records upon which the SIPA Trustee has apparently based the Determination. $^{\circ}$
- The Claimant's efforts to communicate with the SIPA Trustee's representatives in an effort to resolve this matter without the necessity for proceedings before the Court have been to no avail, as there has been no response to multiple voicemail messages left for the SIPA Trustee's representatives, and a direct in-person conversation between the Claimant's attorneys and the attorneys for the SIPA Trustee has likewise failed to elicit any further response.

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By reason of the deadline for filing written opposition to the SIPA Trustee's Determination set forth therein, the Claimant is required to file this Objection in

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Net Investment Method (i.e., "money in, money out") for determining the net equity in the accounts of customers of Bernard L. Madoff Investment Securities LLC, and is subject to the Claimant's right to have its claim re-determined in accordance with any final and unappealable court order that reverses or modifies the Bankruptcy Court's Decision dated March 1, 2010.

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order to preserve the Claimant's rights and remedies with respect to its claim.

Dated: New York, New York April 21, 2010

SNOW BECKER KRAUSS P.C. Attorneys for Claimant

By:

Michael Wexelbaum, Esq. 605 Third Avenue - 25th Floor New York, New York 10158-0125 (212) 687-3860

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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

- against -

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Adv. Pro. No. 08-01789-BRL

SIPA Liquidation

Defendant.

STATE OF NEW YORK

SS:: COUNTY OF NEW YORK) Tatyana Venezia, being duly sworn, deposes and says:

I am not a party to the action. I am over eighteen (18) years of age and reside in Monmouth County, State of New Jersey. On April 21, 2010, I served true copies of the annexed **OBJECTION TO SIPA** by mailing same in sealed envelopes, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed as indicated below:

Clerk of the United States Bankruptcy Court for the Southern District of New York One Bowling Green New York, New York 10004

Irving H. Picard, Trustee c/o Baker & Hostetler LLP 45 Rockefeller Plaza New York, New York 10111

Tatyana Ver

this 21st day of April Sworn to before me

MICHAEL WEXELBAUM
Notary Public, State of New York
No. 30-4515301
Qualified in Nassau County
Commission Expires October 31, 2043

Notary Public

EXHIBIT A

Beatrice Wexelbaum Casa del Mar, 22603 Camino del Mar, Apt 1118 Boca Raton, 33433 (561) 392-4084

February 10, 2009

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

Capital Additions and Withdrawals

Re:
Beatrice Wexelbaum Rev Trust DTD 5/6/1981, Beatrice Wexelbaum, Trustee Account No.: ZB476 (Listed on statements as 1-ZB476-3-0 and 1-ZB476-4-0)

Joseph Wexelbaum Trust B, Beatrice Wexelbaum, Trustee Account No.: ZB477 (Listed on statements as ZB477-3-0 and ZB477-4-0)

Dear Mr. Picard:

The above listed accounts are two separate trust accounts created by my husband and me. Until 2003, we had only one account (number W0086) and in 2003 the contents in this account were divided into two Trusts as follows:

Beatrice Wexelbaum Rev Trust DTD 5/6/1981 Account No.: ZB476 (Listed on statements as 1-ZB476-3-0 and 1-ZB476-4-0)

Joseph Wexelbaum Rev Trust DTD 5/6/1981 Account No.: ZB477 (Listed on statements as ZB477-3-0 and ZB477-4-0)

In 2008, my husband, Joseph, died and his trust was renamed "Joseph Wexelbaum Trust B, Beatrice Wexelbaum, Trustee" in accordance with the trust documents.

Accordingly, the capital additions and withdrawals made prior to 2003 were recorded in only one trust, but may be pertinent to your analysis of both trusts. I have enclosed this letter with the claim form submissions for both trusts.

Also, my deceased husband handled the record keeping for these accounts and we do not have good records for years prior to 1999

Thank you.

Very truly yours,

Beatrice Wexelbaum, Trustee

Capital Additions and Withdrawals from Accounts at Bernard L. Madoff

Investment Securities, LLC

Beatrice Wexelbaum Rev Trust DTD 5/6/1981, Beatrice Wexelbaum, Trustee (Account ZB476)

Joseph Wexelbaum Trust B, Beatrice Wexelbaum, Trustee (Account ZB477)

Capital Additions

	Beatrice	Joseph		
Year	Wexelbaum	Wexelbaum	Total	Source of Information
1991	\$100,000		\$100,000	\$100,000 Handwritten in Merrill Lynch Check
				Registry – 2 check entries
1992	\$100,000	•	\$100,000	\$100,000 Handwritten in Merrill Lynch Check
	ſ		,	Registry – 2 check entries
1993	\$50,000	ı	\$50,000	\$50,000 Handwritten in Merrill Lynch Check
				Registry – 1 check entry
1994	\$100,000	ī	\$100,000	\$100,000 Hand written in Merrill Lynch Check
				Registry – 1 check entry
2004	\$100,000	\$100,000	\$200,000	\$200,000 9/30/04 Statement Proceeds from sale
				of home
2008	ı	\$60,000	\$60,000	\$60,000 6/30/08 Statement Proceeds from life
				insurance policy
Total (A)	\$450,000	\$160,000 \$610,000	\$610,000	

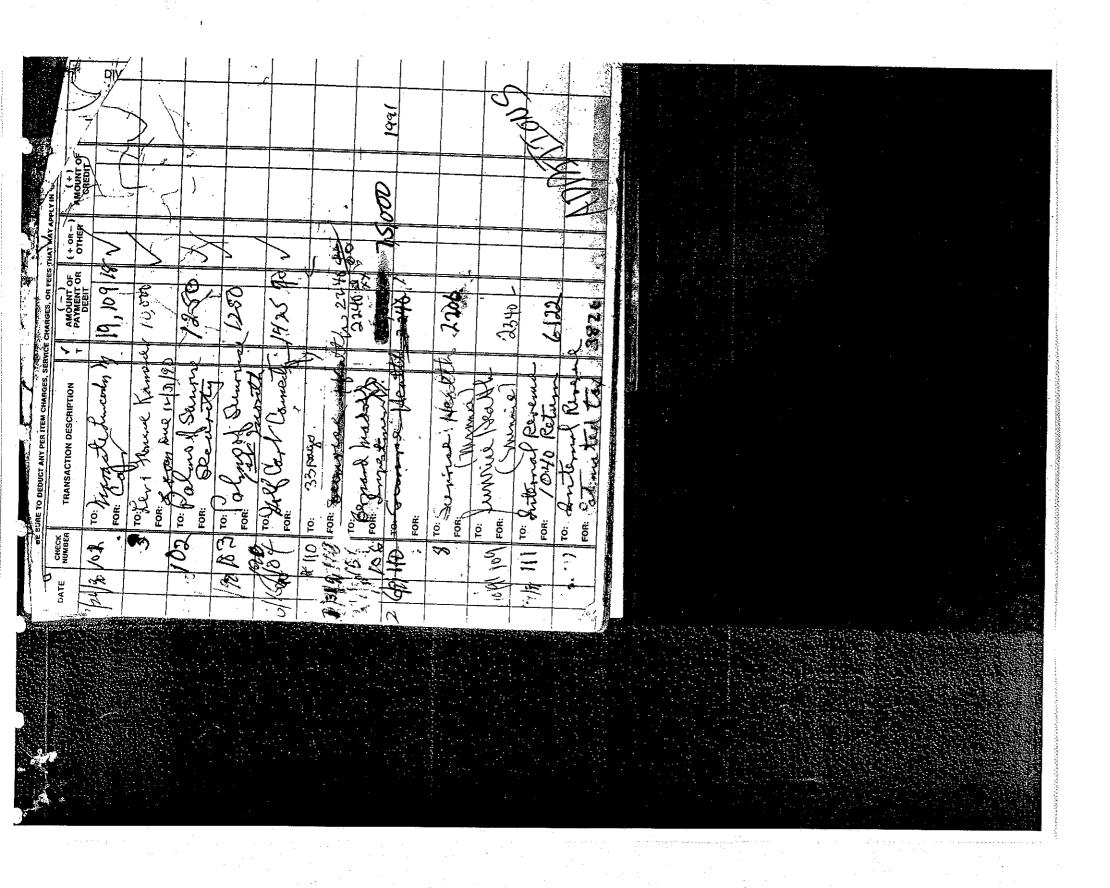
Capital Withdrawals

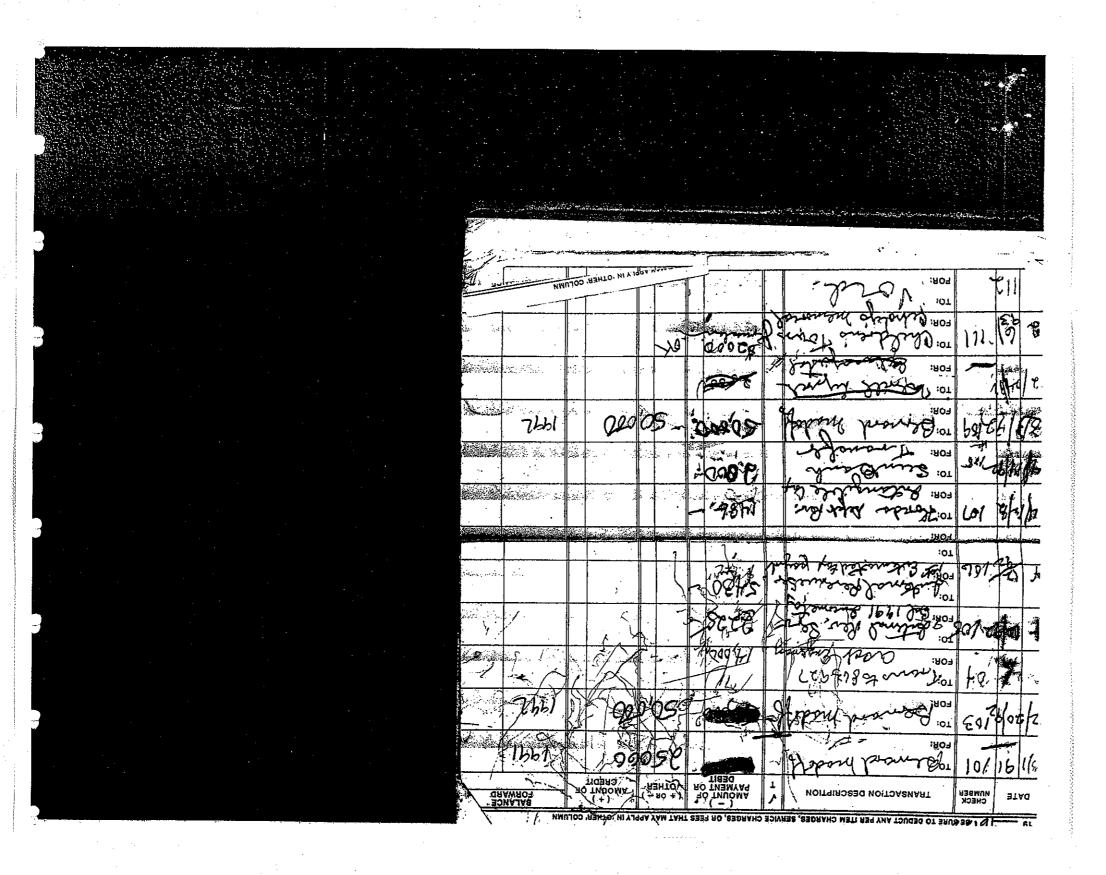
	Beatrice	Joseph		
Year	Wexelbaum	Wexelbaum	Total	Source of Information
1999	\$50,000	ı	\$50,000	\$50,000 Summary Portfolio Management
2000				Report – for taxes
7007	\$100,000	1	\$100,000	\$100,000 12/31/02 Statement - for taxes
2006	\$35,000	\$35,000	Ŀ	\$70,000 3/31/06 Statement – for taxes
2007	\$40,000	\$40,000		\$80,000 4/30/07 Statement - \$50,000 for taxes
				9/30/07 Statement – \$30,000 for taxes
2008	\$10,000	\$90,000	\$100,000	\$90,000 \$100,000 3/31/08 Statement - \$90,000 for estate
			-	distribution
				10/31/08 Statement—\$10,000 for taxes
Total (A)	\$235,000	165,000	165,000 \$400,000	

Note A: Account was handled by Joseph Wexelbaum, who is now deceased. Additional capital additions and withdrawals may have been made during the 1990s, which are not reflected above. Records are not available prior to 1999, except for check register.

Note B: Until 2003 there was only one account (Joseph Wexelbaum and Beatrice Wexelbaum Trustees UA 5/6/81 Beatrice Wexelbaum Trust (Account Numbers 1-W0086-3-0 and 1-W0086-4-0)). In 2003 the contents of this account were divided equally between the Joseph Wexelbaum Rev Trust DTD 5/6/1981 and the Beatrice Wexelbaum Rev Trust DTD 5/6/1981 with the account numbers presented in the title. Shortly after Joseph Wexelbaum's death in January 2008 the name of the "Joseph Wexelbaum Rev Trust DTD 5/6/1981" was changed to "Joseph Wexelbaum Trust B, Beatrice Wexelbaum, Trustee" in accordance with Joseph Wexelbaum's trust document with no change in account number.

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BERNARD-L. MADOFF INVESTMENT SECURITIES LLC New York 🗆 London

885 Third Avenue New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-4061

Affiliated with Madoff Securities International Limited 12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222

BEATRICE WEXELBAUM REV TRUST DTD 5/6/1981 CASA DEL MAR 22603 CAMINO DEL MAR APT 1118 BUCA RATON

FL 33433

1-78476-2-0

YOUR TAX PAYER IDENTIFICATION NUMBER
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BERNARD-L. MADOFF INVESTMENT SECURITIES LLC New York □ London

JOSEPH WEXELBAUM REV TRUST

885 Third Avenue New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-4061

12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222

PERIOD ENDING 9/30/04

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BERNARD L. MADOFF INVESTMENT SECURITIES LLC
New York
London

885 Third Avenue New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-4061 Madoff Securities International Limited
12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

JOSEPH WEXELBAUM TRUST B
BEATRICE WEXELBAUM TRUSTEE
CASA DEL MAR
22603 CAMINO DEL MAR APT 1118
BUCA RATON FL 33433

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YOUR TAX PAYER IDENTIFICATION NUMBER

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YOUR 片 THIS REPORT IS PROVIDED TO ASSIST YOU IN EVALUATING THE PERFORMANCE ACCOUNT AND SHOULD NOT BE USED FOR INCOME TAX PURPOSES.

JOSEPH WEXELBAUM
E BEATRICE WEXELBAUM TSTEES
U/A 5/6/81 BEATRICE WEXELBAUM
7418 CORKWOOD CIRCLE
TAMARAC

1-H0086-3

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BERNARD L. MADOFF INVESTMENT SECURITIES LLC New York
London

885 Third Avenue New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-4061 Madoff Securities International Limited 12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222

12/31/02

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JOSEPH WEXELBAUM

E BEATRICE MEXELBAUM TSTEES

U/A 5/6/81 BEATRICE WEXELBAUM

7418 CORKWOOD CIRCLE

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INVESTMENT SECURITIES LLC ☐ New York □ London

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(212) 230-2424 800 334-1343 Fax (212) 838-4061 Tel 020 7493 6222

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BERNARD L. MADOFF INVESTMENT SECURITIES LLC
New York
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12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

JOSEPH WEXELBAUM REV TRUST
DTD 5/6/1981
CASA DEL MAR
22603 CAMINO DEL MAR APT 1118
BOCA RATON FL 33433

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PAGE 5

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YOUR TAX PAYER IDENTIFICATION NUMBER

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BEATRICE WEXELBAUM REV TRUST

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885 Third Avenue New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-4061

Madott Securities International Limited 12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222

4/30/07

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4/02				DIV 3/15/07 4/01/07 MERCK & CO	DIA		174-42
4702				DIV 3/09/07 4/02/07 WAL-MART STORES ING	DIY		3112520
4/04			1 11 11 11 11 11 11 11 11 11 11 11 11 1	DIV 3/16/07 4/02/07 HEWLETT PACKARD CO	DIA		46-24
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MADE INVESTMENT SECURITIES LLC New York 🗆 London

JOSEPH WEXELBAUM REV TRUST

885 Third Avenue New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-4061

12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222

PERIOD ENDING 4/30/07

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102				COCA COLA CO DIV 3/15/07 4/01/07	Dav		14650
4/02				MERCK & CO	DIA		174-42
4/02				DIV 3/09/07 4/02/07 WAL-MART STORES INC	DTV		-112-20
4/04		Tighted and a second of the second	《李明教教》	DIV 3/16/07 4/02/07 HEWLETT PACKARD CO	DIV		46-24
5/0:				DIV 3/14/07 4/04/07 CHECK	CU.	25,000-00	
4710				FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	DTY		63898
3,7/11.0				DIV-04/10/07 ALTRIA GROUP INC	D IV		380-17
			070/0	DIV-3/15/07-4/10/07	1		34,986-00
4/10		34,986	97943	FIDELITY SPARTAN U.S. TREASURY MONEY MARKET			
4/10	10,050		9:400	FIDELITY SPARTAN U-S-TREASURY-MONEY-MARKET	1	10,050-00	
4/24 4/24	187 442		3304 7598	MERRILL LYNCH & CO INC ALTRIA GROUP INC	90-140 70-020	16,863,18 30,965,84	
67/25	459		10161672	MERCK-& CO	49-660 81-120	22,811,94 19,315,56	
4/24	238 1,870		16186 20480	MORGAN STANLEY MICROSOFT CORP	28-300	52,995.00	
				CONTINUED ON PAGE 2			

BERNARD L. MADOFF INVESTMENT SECURITIES LLC New York 🗆 London

885 Third Avenue New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-4061

Affiliated with Madoff Securities International Limited 12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222

BEATRICE WEXELBAUM REV TRUST DTD 5/6/1981 CASA DEL MAR
22603 CAMINO DEL MAR APT 1118
PATON FL 33433

PERIOD ENDING 9/30/07

1-ZB476-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER *****8723

				Z 25,10	******812	<u> </u>
BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
51 510 85 1,190 578		55884 56662 60198 60976 64512 65290	WELLS FARGO & CO NEW GOOGLE WAL-MART STORES INC GOLDMAN SACHS GROUP INC EXXON MOBIL CORP HEWLEIT PACKARD CO	35.700 523.600 42.840 183.820 87.770 48.470	25,517.80 26,705.60 21,868.40 15,627.70 104,493.30	
1,258 612 731		69604 73918 78232 82545	INTERNATIONAL BUSINESS MACHS INTEL CORP JOHNSON & JOHNSON J.P. MORGAN CHASE & CO	116 25-310 62-640 44-420	33,535.00 31,889.98 38,359.68 32,500.02	
459 459 1,785	1.225.000	91173 95487 99801	ACTRIA GROUP INC MERCK & CD MICROSOFT CORP	55.710 67.090 49.820 29.010	23,693,75 30,812,31 22,885,38 51,853,85	
			DUE 12/13/2007 12/13/2007 FIDELITY SPARTAN U.S. TREASURY MENEY MARKET	DIA		1,213;607•50 61.36
	10,898	74739 79182	DIV 09/18/07 FIDELITY SPARTAN U.S. TREASURY MONEY MARKET FIDELITY SPARTAN	1	61,107.00	10,898.00
			CHECK CONTINUED ON PAGE 3	CW	15,000.00	
RETAIN THIS STATEMENT FOR	I NCOME TAY PURDAGE	3				
	714 51 510 85 1,190 578 289 1,258 612 731 425 459 1,785	714 51 510 85 1,190 578 289 1,258 612 731 425 459 459 1,785 1,225,000	714 51 510 60198 60198 60976 1,190 578 289 1,258 612 731 425 459 459 1,785 1,785 1,225,000 68878 10,898 74739 79182	714 51 510 60198 6	SOLD TRN DESCRIPTION PRICE OR SYMBOL	SOLD SOLD

BERNARD L. MADOFF INVESTMENT SECURITIES LLC **∐**New York □ London

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JOSEPH WEXELBAUM REV TRUST DTD 5/6/1981 CASA DEL MAR 22603 CAMINO DEL MAR APT 1118 **BOCA RATON** FL 33433

9/30/07

1-28477-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER *****8722

	BOUGHT RECEIVED OR LONG	SOLO DELIVERED OR SHORT	TAN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
//18 9/18	714 51		55885	WELLS FARGO & CO NEW	35•700	25,517.80	TO TOOK ACCOUNT
9/18	510 510	ş	56663	GOOGLE	523-600	26,705.60	
9/18	85		60199	WAL-MART STORES INC	42.840	21,868-40	
9/18	1,190		60977 64513	GOLDMAN SACHS GROUP INC	183-820	15,627.70	
9/18	578		65291	EXXON MOBIL CORP	87-770	104,493.30	
9/18	289		69605	HEWLETT PACKARD CO INTERNATIONAL BUSINESS MACHS	48-470	28,038,66	Rosentia de la Companya de Com
9/18	1,258		73919	INTEL CORP	Lie	33,535.00	
9/18	612		78233	JOHNSON & JOHNSON	25-310	31,889.98	
9/18	731		82546	J.P. MORGAN CHASE & CO	62•640 44•420	38,359.68	
7/18	425		86860	COGA COLA CO	155-710	32,500.02 23,693.75	
9/18	459	"一个人不是一个人的。"	91174	ALTRIA GROUP INC	67.090	30,812.31	
9/18	459		95488	MERCK & CO	49-820	22,885.38	
)/18)/18	1,785		99802	MICROSOFT CORP	29.010	51,853.85	•
		1,225,000	58(379)	U.S TREASURY BILL	99.070		1,213,607,50
	***		25.5	DUE_12/13/2007			
7/18				12/13/2007			And the state of t
				FIDELITY SPARTAN	DIV	TOTAL BUTCHES	61.36
			2.2	U.S. TREASURY MONEY MARKET			
/18	,	10,898	74740	DIV-09/18/07			
BROWN AND THE SERVE	14666cr	207076	INITU.	FIDELITY SPARTAN	1	1	10,898.00
/18	61,107		79183	U_S_TREASURY_MONEY_MARKET FIDELITY_SPARTAN			
				US TREASURY MONEY MARKET	1 1	61,107.00	
/20		. [CHECK		15 000	
			7532: /PT.00000000000		CA	15,000.00	
			4	CONTINUED ON PAGE 3			
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BERNARD L. MADOFF INVESTMENT SECURITIES LLC MADE New York □ London

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12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222

JOSEPH WEXELBAUM TRUST B BEATRICE WEXELBAUM TRUSTEE CASA DEL MAR 22603 CAMINO DEL MAR APT 1118 BOCA RATON FL 33433 FL 33433 PERIOD ENDING 3/31/00 1

YOUR ACCOUNT NUMBER 1-ZB477-3-0 YOUR TAX PAYER IDENTIFICATION NUMBER ******4542

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				BALANCE FORWARD			•8
3/10	·			CHECK	CM	90,000.00	
3/10			-	FIDELITY SPARTAN	DIV	307300103	130.7
				U S TREASURY MONEY MARKET			
				DIV 03/10/08			
/10		23,979	10924	FIDELITY SPARTAN	1		23,979.0
			· ·	U S TREASURY MONEY MARKET			
3/10		75,000	10941	U S TREASURY BILL	99+891		74,918.2
				DUE 04/03/2008	ļ		·
/10	ດະຄວວ		10070	4/03/2008			
7.20	9,028	-f .*	10978	FIDELITY SPARTAN	1	9,028.00	,
/19		•	-	U S TREASURY MONEY MARKET FIDELITY SPARTAN	DIV		4.7
	1			U S TREASURY MONEY MARKET	DIA		4• i
				DIV 03/19/08			
/19	1	9,028	28334	FIDELITY SPARTAN	1	·	9,028.0
1	1	·	,	U S TREASURY MONEY MARKET		•	,,,,,,,
/19]	1,175,000	32412	U S TREASURY BILL	99-954		1,174,459.5
·			-	DUE 04/03/2008			
/19	7 175 222			4/03/2008	;	į	
113	1,175,000		37125	U S TREASURY BILL	99-576	1,170,018.00	
				DUE 7/31/2008			•
/19	13,475		(1 (7)	7/31/2008		40 (77	•
., _ ,	137419		41472	FIDELITY SPARTAN	1	13,475.00	÷
	1			U S TREASURY MONEY MARKET			
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DTD 5/6/1981 CASA DEL MAR

BEATRICE WEXELBAUM REV TRUST

22603 CAMINO DEL MAR APT 1118

885 Third Avenue New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-4061

12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222

10/31/08

PAGE 1

1-ZB476-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER

******8723

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				BALANCE FORWARD		80,477-09	
10/01				CHECK FIDELITY SPARTAN U S TREASURY MONEY MARKET	DIA	10+000+00	8.88
LO/01				DIV 10/01/08 COCA COLA CO DIV 9/15/08 10/01/08	DIV		209-00
0/01			regi felsas frej og s er sår far felsafels	HEWLETT PACKARD CO DIV 9/10/08 10/01/08 MERCK E CO	DIV		54•56 225•72
0/01		17,255	98900	DIV 9/05/08 10/01/08 FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	1		17,255.00
0/01	7,264		99320	FIDELITY SPARTAN U.S. TREASURY MONEY MARKET		7,264-00	10 m
0/03				SCHLUMBERGER LTD DIV 9/03/08 10/03/08 PHILLIP MORRIS INTERNATIONAL	DIV		69•30 308•88
0/31	868		10443	DIV 9/15/08 10/10/08 FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	1	868•00	
				NEH-BAZANCE		80-477-75	
	8,132			SECURITY POSITIONS - FIDELITY SPARTAN U S TREASURY-MONEY-MARKET	MKT PRICE		
				CONTINUED ON PAGE 2			